THE PRINCIPLES BEHIND THE FSM PLATFORM

ON THE CONTENT OF EXPRESSION We hold that only courts of law can legitimately judge whether or not the content of a particular speech is lawful. The Administration has held that the University must reserve the right to indict and try a student if it feels that the student has made improper use of his right to advocate

There are two possible ways the Administration may act. It may hold that the student's speech is improper because it constitutes a crime. In this case, their indictment and hearing will be a clear invitation to the District Attorney to initiate criminal proceedings. He will be shielded from the protest such criminal proceedings would normally invoke, because a respected institution has declared the action a crime. Furthermore, the hearings would provide information which might otherwise be legally unobtainable. On the other hand, they may indict the student on a charge which does not constitute a crime. In this case they would be declaring improper speech which is protected by the first and fourteenth amendments. They would be judging that less political freedom should obtain on the campus than off.

There are many more reasons we hold the Administration proposal to be objectionable. In brief they include: Our belief that due process on campus would be almost impossible to obtain; our belief that indictment would occur as a response to outside pressures rather than to the actions of particular students; and our realization that if entities other than the courts begin convicting of unlawful advocacy, it will be impossible to develop the now-sparse case law pertaining to the relevant issues.

ON THE FORM OF EXPRESSION The bulk of the changes we propose in the regulations are meant to ease unnecessary restrictions on the forms of advocacy. We have tried to formulate regulations which consistently apply the principle that any restriction on campus political activity whose effect is to hamper, harass, or inhibit, and which cannot be based upon a sound and compelling demonstration that it is necessary for the efficient functioning of the University, must not exist.

ON STUDENT PARTICIPATION IN THE ENACTMENT, ENFORCEMENT AND INTERPRETATION OF REGULATIONS GOVERNING POLITICAL ACTIVITY We hold that students should have an effective voice in the enactment, interpretation, and enforcement of regulations governing campus political activity. When a body of students is constituted to perform this function, we hold that a majority of its members should be democratically selected by the students directly involved in political activities.

AN APPEAL TO THE REGENTS

Today the Regents meet in plenary session. They are expected to decide what regulations shall officially govern student political activity on campus. We appeal to the Regents to make a wise decision. We appeal to the Regents to act in a manner which shall begin to restore the confidence which every student should have in our University.

The past month has been a period of controversy at the University of California at Berkeley. In the heat of this controversy, both the students and the Administration may at times have become unneccessarily vindictive. Today the Regents, a body which has not as yet been party to the conflict, must reach a decision upon the issues under dispute. We trust that in reaching their decision, the Regents consider only three criteria: that their decision be legally sound, that their decision be morally correct, and that their decision help reduce the mistrust and alienation which has developed on this campus.

A DELEGATION TO THE REGENTS

The following request was forwarded by the Steering Committee of the FSM to the Regents:

To The Regents of the University of California:

We request permission to have the plenary session of the Regents of the University of California receive a delegation from the Free Speech Movement.

The delegation, to consist of five members of the FSM Steering Committee, would formally present the Platform of the FSM, which consists of a carefully-formulated body of proposed regulations to govern student political activity on campus.

The delegation would like to discuss briefly the reasons for the changes in the present regulations which this Platform embodies. Many of the proposed changes are motivated by problems that students encounter as part of their every-day experience. Since these problems possibly may not be fully understood b by all parties concerned with the formulating of regulations, the delegation feels that such discussion might be of service to the Regents, and it would be honored to answer any questions that might be asked.

Respectfully,

Michael Rossman

Michael Rossman,
for the Steering Committee
of the Free Speech Movement

STUDENT SUPPORT

Our five-man delegation can adequately present to the Regents the principles behind the FSM platform. But no delegation of five could ever show the Regents the overwhelming support the student position has on campus; only the students themselves can demonstrate this support. For this reason, the FSM has requested that the student body accompany the delegation of five to University Hall and wait outside while the student position is presented. This gathering will demonstrate individual concern; it will show how many of us share the belief that full political freedom shall obtain on campus subject only to the restraints imposed by law and to legitimate considerations of non-interference with the functions of the University. This show of support will be much like a vote. Each member of the academic community must decide whether or not he wishes to be counted.

MASS MEETING SPROUL HALL NOON TO 2:00 PM

(Guests to include Joan Baez and Congressman Phil Burton)

AT 2:00 PM THE FSM DELEGATION AND THEIR STUDENT ACCOMPANIMENT WILL LEAVE FOR THE REGENT'S MEETING.

Provisional Platform of the Free Speech Movement

I. The range of civil liberties and political freedoms of any member of the University Community or anyone else which is constitutionally protected off the campus should be equally protected on the campus. By the same token, of course, speech or conduct which is in violation of law and constitutionally unprotected, should receive no greater protection on the campus than off the campus. In the area of speech and political conduct the University may not regualte content, and must leave solely to the appropriate civil authorities the right of punishment for any transgressions of law. While we recognize the need for appropriate regulations regarding the time, place, and manner of exercising constitutional rights, based upon maintainance of the appropriate functions of the University and its peaceful operation, such regulations may not, either directly or indirectly, interfere with the right to speech or the content of such speech.

II. The present rules relating to students and student groups setting up their tables shall be amended so that members of the campus community, upon notifying the Administration of the proposed location of their table (in areas including those presently designated, the sides of the Sproul Hall steps, beneath the eaves of the Student Union, and such other areas as may be established after negotiation) be permitted to accept donations and membership sign-ups, and distribute literature including political and social action materials under the following conditions:

(1) Tables will not be left unattended.
(2) The organizations shall not borrow University tables or chairs
(3) Tables shall not be set up in such a way as to obstruct the free flow of traffic
(4) It is understood that these organizations do not represent the University of California, and will not use the name of the University in any fashion which involves the University as an institution.

Participation in the activities desctibed in this section shall be limited to members of the campus community -- that is, to students, staff and faculty, and non-student members of recognized student groups.

IIA. "Off-campus" political and social action groups shall be recognized by the University upon filing with the Dean of Students Office the following information:

(1) The name of the organization
(2) The purpose of the organization
(3) A list of officers of the group
(4) An affidavit by the officers that their group is primarily composed of students
(5) The name of thegroup's faculty advisor, if any is required by the administration.

IIB. It is difficult for any organization with definite aims to refuse membership to a person who has temporarily dropped out of school or who is for some other reason in the student milieu, but not currently registered. Therefore, a student group shall be defined as one the majority of whose mmmbers and officers are present or recent members of the University community.

IIC. Members of the campus community shall be allowed to place their own posters on campus in areas presently designated for this purpose. Posters shall be allowed at the cement pillars at the South Entrance of the campus.

III. The only requirement for 'off-campus' speakers in facilities other than the Hyde Park Areas shall be a four hour prior notifiaation, which is to include the name of the inviting organization, the speaker's name and his affiliation (if any), the topic of his talk, and his willingness to answer questions. This regulation shall apply in the Hyde Park Areas, to off-campus speakers sponsored by any recognized student group, save that notification may be given at any time prior to the appearance of speakers. Unsponsored individuals may speak at any time in the Hyde Park Areas without prior notification.

IV. In the new student office building, meeting rooms shall be available for meetings of political and social action groups and the regulations of scheduling and use of these facilities shall be handled through a committee of the organizations involved. Further: the University shall make meetings rooms available to student groups on both a regualr and special event basis. Acquisition and use should be automatic if space is available and should be independent of the type of activity the groups undertake, of the nature of the speackers the groups present. The University may no longer require moderators at meetings of the student organizations. Student groups may collect funds at any meetings they hold on campus.

V. The Office of the Dean of Students, in cooperation with the Campus Police Department, should prepare a full statement of the criteria used to determine when police will be required at meetings. When needed, police protection on the University campus shall be considered one of the normal functions of the University police department. Accordingly no special charges should be levied upon student organizations for police protection.

VI. The appropriate channel for enacting and interpreting the regulations governing the exercise of civil liberties on the campus shall be a tripartite board with equal representation of students, a majority of whom shall be selected by a student political union of political and social action organizations; faculty selected by the Academic Freedom Committee of the Academic Senate; and members of the administration. The board shall have a rotating chairman, set its own rules of procedure, and make its decisions by consensus. This shall be the board of appeal and final review inall disputed matters relating to civil liberties. Terms shall be limited to one year.

VII. The Hyde Park Areas of the campus shall include:

(1) Wheeler Oak (with voice amplification between noon and one, after four, and at other times by special arrangement)
(2) Bancroft and Telegraph (with voice amplification at all times)
(3) The steps of the Student Union (with voice amplification at all times)
(4) Steps of Sproul Hall (with voice amplification between noon and one, and after four, and at other times by special arrangement)
(5) North Gate (with voice amplification at all times)
(6) Student Union Plaza (with voice amplification at all times)
(7) The Mining Circle (with voice amplification between noon and one, after four, and at other times by special arrangement)
(8) Steps of Harmon Gymnasium (with voice amplification between noon and one, after four, and at other times by special arrangement)

VIII. Publications of more than one page and not more than 1/4 advertising may be distributed and sold by members of the campus community, including members of recognized student organizations, at all meeting, tables and Hyde Park Areas.